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Acting Under Authority Conferred By 28 U.S.C. § 515

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	CR-18-00258-EJD
)	
Plaintiff,)	JOINT STATUS MEMORANDUM
)	
v.)	
)	
ELIZABETH HOLMES and)	
RAMESH "SUNNY" BALWANI,)	
)	
Defendants.)	
)	
)	

The parties in the above-captioned matter hereby file this joint status memorandum in advance of the trial setting conference set for June 28, 2019.

I. Trial Setting

The parties have met and conferred and believe that it is appropriate to set this matter for trial. The government is prepared to commence trial at the Court's direction. During our April 2019 status conference, the government asked the Court to set the matter for trial recognizing that the complexity of this case, including the volume of discovery, likely weighs in favor of a trial date in 2020. Although the government went into discussions with defense counsel with a preference for a trial date during the first

1 half of 2020, the defense, particularly counsel for defendant Holmes, who did not represent Ms. Holmes
2 during the investigation that led to the indictment, explained to the government during those discussions
3 that significant work remains before it will be prepared for trial, including review of FDA/CMS
4 documents that have yet to be produced and approximately 4 terabytes of data recently produced to the
5 government that remains to be processed.

6 In light of each defendant's need to prepare effectively for trial, the government does not oppose
7 the defendants' joint request for a trial in September 2020, or as soon thereafter as would be convenient
8 for the Court.

9 The parties jointly ask this Court to reserve three months for trial. This three-month estimate
10 includes time for jury selection, the government's case-in-chief, and time for each defendant to present a
11 case, should either or both choose to make such a presentation.

12 II. Trial Scheduling Order

13 The parties have also met and conferred regarding a scheduling order. The parties propose that
14 they submit a jointly proposed scheduling order two weeks after this Court sets the matter for trial.

15
16 DATED: June 21, 2019

Respectfully submitted,

17 ADAM A. REEVES
18 Attorney for the United States
19 Acting Under Authority Conferred
20 By 28 U.S.C. § 515

21 /s/
22 JEFF SCHENK
23 JOHN C. BOSTIC
24 ROBERT S. LEACH
25 Assistant United States Attorneys

26
27 DATED: June 21, 2019

28 /s/
KEVIN DOWNEY
LANCE WADE
Attorneys for Elizabeth Holmes

DATED: June 21, 2019

/s/

JEFF COOPERSMITH

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Balwani